

Washington, D.C. – Congressman Joe Sestak (PA-07) voted for the Support the ADA Amendments Act of 2008 (HR 3195), a bipartisan piece of legislation which passed the Education and Labor Committee 43-1. The revisions to the Americans with Disabilities Act of 1990 (ADA) were made, in large part, to respond to court decisions, including those of the Supreme Court, that narrowed the scope of people covered by the Act. Congressman Sestak joined with an overwhelming bipartisan majority of Committee members to work to ensure that workers qualified for a job do not experience discrimination because of a disability. — “I am disturbed by the trend made all too clear in 2004 when courts ruled against the claimant in 97 percent of ADA cases,” said Congressman Sestak. “It is necessary for Congress to reinforce the fact that this law is intended to cover anyone subject to discrimination because of disability and does not intend for the courts to restrict coverage as they have for people with conditions such as diabetes, mental conditions and cancer.”

With the proposed amendments, the law will make clear that Congress has set forth “‘a clear and comprehensive national mandate for the elimination of discrimination’ and ‘clear, strong, consistent, enforceable standards addressing discrimination’ by restoring the broad scope of protection available under the ADA.” The amendments retain the definition of a disability as an impairment that substantially limits a major life activity, but include a provision to make certain that the ADA covers individuals who are either fired or not hired because of actual as well as perceived impairments. In addition, this legislation counters court decisions that have gone against plaintiffs because a disabling condition is treatable. The committee voted to ensure that these workers are included in the act.

“As in all cases of employee discrimination, whether because of race, gender or disability, rejecting a qualified person causes harm to both the individual and the organization,” said Congressman Sestak. “Many of these people are vital to their workplace and have skills and abilities that are essential for their office or agency. It is imperative that we uphold the original intent of the ADA and make sure these men and women are treated fairly in the workplace.”

*Born and raised in Delaware County, former 3-star Admiral Joe Sestak served in the Navy for 31 years and now serves as the Representative from the 7th District of Pennsylvania. He led a series of operational commands at sea, including Commander of an aircraft carrier battle group of 30 U.S. and allied ships with over 15,000 sailors and 100 aircraft that conducted operations in Afghanistan and Iraq. After 9/11, Joe was the first Director of "Deep Blue," the Navy's anti-terrorism unit that established strategic and operations policies for the "Global War on Terrorism." He served as President Clinton's Director for Defense Policy at the National Security Council in the White House, and holds a Ph.D. in Political Economy and Government from Harvard University. According to the office of the House Historian, Joe is the highest-ranking former military officer ever elected to the U.S. House of Representatives.*